

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KENDRICK HARRIS,

Plaintiff

v.

MARIO FENNOY,

Defendant.

No. 05-CV-0101-DRH

ORDER

HERNDON, District Judge:

Pending before the Court is Harris' *pro se* declaration for entry of default judgment which has been entered in the electronic filing system as a motion for default judgment (Doc. 19). Because the record does not indicate that Mario Fennoy has been served and the Clerk of the Court denied the entry of default on August 24, 2005, the Court **DENIES at this time** Harris' *pro se* declaration for entry of default judgment.¹

IT IS SO ORDERED.

Signed this 29th day of August, 2005.

/s/ David RHerndon
United States District Judge

¹**FEDERAL RULE OF CIVIL PROCEDURE 55** requires that a party move for an *entry* of default and then move for a default judgment.